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Army Regulation 381-48

Military Intelligence

**U.S. Army Support,
Maintenance, and
Settlement (SMS)
for Incarcerated
Sources and Their
Families
(S/NOFORN/WNINTEL)
Short Title: SMS
Policy (U)**

CLASSIFIED BY: ADP, DA
DECLASSIFY ON: OADR

~~WARNING NOTICE:~~
Sensitive Intelligence Sources
and Methods Involved

Not Releasable to
Foreign Nationals

Headquarters
Department of the Army
Washington, DC
3 February 1986

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Effective 3 March 1986

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Military Intelligence

U.S. Army Support, Maintenance, and Settlement (SMS) for Incarcerated Sources and Their Families (S/NOFORN/WNINTEL) Short Title: SMS Policy (U)

This UPDATE printing publishes a new Army regulation that is effective 3 March 1986

By order of the Secretary of the Army:
JOHN A. WICKHAM, JR.
General, United States Army
Chief of Staff

Official:

MILDRED E. HEDBERG
Brigadier General, United States Army
The Adjutant General

(S/NOFORN/WNINTEL)

conducting internal control reviews. These checklists are contained in AR 381-141.

(U) **Supplementation.** Local limited supplementation of this regulation is required as specified by HQDA (DAMI-ISH). The supplement should generally follow this format and include, as a minimum, reporting procedures, budget request procedures, and a format for SMS plans. Supplements will be forwarded to HQDA (DAMI-ISH), WASH DC 20301-1061, via RODCA channels within 90 days for approval prior to implementation.

(U) **Interim changes.** Interim changes to this regulation are not official unless they are authorized by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

(U) **Suggested improvements.** The proponent agency of this regulation is the Office of the Assistant Chief of Staff for Intelligence. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA(DAMI-ISH), WASH DC 20310-1061, via RODCA channels.

(U) **Distribution restriction.** This publication contains sensitive operational information that is not releasable to foreign governments. Distribution is limited to U.S. Army agencies. Requests from outside the U.S. Government for release of this publication under the Freedom of Information Act of the Foreign Military Sales Program must be made to HQDA-(DAMI-ISH), WASH DC 20310-1061.

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Chapter 1 General

1-1. (U) Purpose

a. (S/NOFORN/WNINTEL)

[REDACTED]

b. (S/NOFORN/WNINTEL)

[REDACTED]

c. (S/NOFORN/WNINTEL)

[REDACTED]

d. (U) These regulatory provisions create no interests in favor of any person nor rights or entitlements, to the payment of any sums that may be authorized under the terms of this regulation

1-2. (U) Scope

a. (S/NOFORN/WNINTEL)

[REDACTED]

b. (S/NOFORN/WNINTEL)

[REDACTED]

c. (S/NOFORN/WNINTEL)

[REDACTED]

d. (S/NOFORN/WNINTEL)

[REDACTED]

e. (U) SMS policy is predicated upon the following factors:

(1) (S/NOFORN)

[REDACTED]

(2) (S)

[REDACTED]

(3) (S/NOFORN)

[REDACTED]

(4) (S/NOFORN/WNINTEL)

[REDACTED]

(5) (S/NOFORN)

[REDACTED]

(6) (S/NOFORN)

[REDACTED]

5 USC 552 (b) (1)

1-3. (U) References

Required and related publications are listed below:

a. (U) *Required publication.* Army Regulation 381-141, Provisions for Administration, Supervision, Control, and Use of Intelligence Contingency Funds (U) (Cited in paras 1-6, 2-1, and 3-4)

b. (U) *Related publications.* (A related publication is merely a source of additional information. The user does not have to read it to understand the regulation.)

(1) (U) DIAM 58-11, Defense Human Resources Intelligence Collection Management Manual.

(2) (U) DIAM 58-12, HUMINT Operational Coordination.

1-4. (U) Explanation of terms and abbreviations

Abbreviations and special terms used in this regulation are explained in the glossary.

1-5. (U) Communications

The policy and procedures described in this regulation are sensitive and must be handled on a close hold, need-to-know basis. All communications concerning either the policy or the procedures will be transmitted in RODCA channels.

1-6. (U) Responsibilities

a. (U) *The Assistant Chief of Staff for Intelligence (ACSI), DA.* The ACSI will—

(1) (U) Establish SMS policy and procedures for the U.S. Army.

(2) (U) Coordinate with CIA, DIA, and other intelligence agencies on policy affecting SMS.

(3) (S/NOFORN/WNINTEL)

[REDACTED]

[REDACTED]

(5) (U) Approve supplements to this regulation prior to their implementation.

b. (U) *U.S. Army Intelligence and Security Command (INSCOM).* INSCOM will—

(1) (S/NOFORN/WNINTEL)

[REDACTED]

(2) (C)

[REDACTED]

(3) (S/NOFORN/WNINTEL)

[REDACTED]

(4) Ensure that all communications are in the RODCA channel.

c. (U) *DCSI USAREUR and G2, Eighth U.S. Army.* These officers will ensure that units over which they have operational control observe the policy and procedures set forth in this regulation and provide all required information to INSCOM to satisfy the reporting requirements of this regulation.

Chapter 2 Policies

2-1. (S/NOFORN/WNINTEL)

[REDACTED]

5 USC 552 (b) (1)

c. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

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2-2. (U) Planning considerations

a. (S/NOFORN/WNINTEL)

f. (S/NOFORN/WNINTEL)

2-5. (U) Family financial support and maintenance

a. (S/NOFORN/WNINTEL)

g. (S/NOFORN/WNINTEL)

(1) (C)

b. (S/NOFORN/WNINTEL)

h. (S/NOFORN/WNINTEL)

(2) (S/NOFORN/WNINTEL)

i. (S)

b. (S/NOFORN/WNINTEL)

2-3. (S/NOFORN/WNINTEL)

2-4. (U) Expenses during source incarceration.

a. (U) Expenses may include, but are not limited to the following:

(1) (U) Lawyers' fees and related costs associated with conducting a legal defense.

(2) (U) Court costs, to include any fine that may be levied on the source as a result of conviction of intelligence activities on behalf of USI.

(3) (C)

c. (S/NOFORN/WNINTEL)

d. (S/NOFORN/WNINTEL)

(C)

b. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

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(6) (S/NOFORN/WNINTEL)

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(7) (S/NOFORN/WNINTEL)

b. (S/NOFORN/WNINTEL)

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c. (S/NOFORN/WNINTEL)

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2-7. (S)

5 USC 552 (b) (1)

a. (S/NOFORN/WNINTEL)

5 USC 552 (b) (1)

5 USC 552 (b) (1)

b. (S/NOFORN/WNINTEL)

5 USC 552 (b) (1)

c. (S/NOFORN/WNINTEL)

d. (S/NOFORN/WNINTEL)

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2-8. (U) Cover

a. (S/NOFORN/WNINTEL)

(1) (S/NOFORN/WNINTEL)

(2) (S/NOFORN/WNINTEL)

(a) (S)

(b) (S)

(c) (S/NOFORN/WNINTEL)

(d) (S/NOFORN/WNINTEL)

(3) (S/NOFORN/WNINTEL)

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5 USC 552 (b) (1)

5 USC 552 (b) (1)

5 USC 552 (b) (1)

2-6. (U) Settlement after release
a. (C)

(1) (C)

(2) (S)

(3) (C)

(4) (C)

(5) (C)

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5 USC 552 (b) (1)

5 USC 552 (b) (1)

5 USC 552 (b) (1)

(4) (S/NOFORN/WNINTEL)

(5) (S/NOFORN/WNINTEL)

b. (S/NOFORN/WNINTEL)

(1) (S/NOFORN/WNINTEL)

(2) (S/NOFORN/WNINTEL)

(3) (S/NOFORN/WNINTEL)

5 USC 552 (b) (1)

2-9. (U) Family travel in the denied area

a. (S/NOFORN/WNINTEL)

b. (S/NOFORN/WNINTEL)

5 USC 552 (b) (1)

c. (S)

2-10. (S/NOFORN)

a. (S/NOFORN/WNINTEL)

b. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

d. (S/NOFORN/WNINTEL)

e. (S/NOFORN/WNINTEL)

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2-11. (S)

Chapter 3
Procedures

3-1 (U) Friendly government assistance

a. (S/NOFORN/WNINTEL)

b. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

3-2 (U) Settlement Officers

a. (C)

(1) (U) Should be fluent/near fluent in the local language.

(2) (U) Should have considerable area or counter-intelligence experience.

(3) (U) Should be experienced in and understand the principles of cover techniques and operations security.

(4) (C)

(5) (U) Preferably should have had experience with SMS.

b. (S/NOFORN/WNINTEL)

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5 USC 552 (b) (1)

5 USC 552 (b) (1)

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a. (S/NOFORN/WNINTEL)

(4) (S//NOFORN//WNINTEL)

b. (S/NOFORN)

(S) (S/NOFORN/WNINTEL)

c. (S/NOFORN

b. (S//NOFORN//WNINTEL)

d. (S/NOFORN/WNINTEL)

c. (S/NOFORN/WNINTEL)

f. (S/NOFORN/WNINTEL)

e. (S/NOFORN)

d. (S/NOFORN/WNINTEL)

e. (S/NOFORN/WNINTEL)

5 USC 552 (b) (1)

3-5 (S/NOFORN/WNINTEL)

(1) (S/NOFORN/W'NINTEL)

3-4 (U) Reintegration

a. (S/NOFORN/WNINTEL)

(2) (C)

(3) (S)

EO 3.3 552 (2) (1)

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6 USC 552 (b) (1)

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Glossary (U)

Section I

(c) Abbreviations (U)

BSD

basic source data (U)

CIOP

Clandestine Intelligence Operational Proposal (U)

HOIS

Hostile Intelligence Service (U)

LAC

local agency check (U)

LDR

lead development report (U)

LSD

letters of significant development (U)

PCP

Primary Control Person

5 USC 552 (b) (1)

SMS

Support, maintenance, and settlement (U)

USI

U.S. Intelligence (U)

Section II

Terms (U)

Control

Ability to influence a detained source's family to keep them from making decisions that could adversely impact on the source, his or her family, or USI.

Cover

Means by which an individual, group, or organization conceals its existence and the true nature of its acts from any observer.

Damage Assessment

A determination of the effect on a U.S. Army clandestine HUMINT operation when Army sources/agents are arrested and imprisoned by hostile governments. The assessment often can only be completed when the source/agent is returned to U.S. Army custody.

Dependent

The source's spouse, any unmarried child under 21 years of age if such child is in fact dependent on the member for support, and the source's parents or other immediate family members who were in fact dependent on the source for over one-half of their support prior to the source's arrest and incarceration.

Financial risk-vs-gain assessment

The process by which the projected value of the expected intelligence gain from a

given source's activities on behalf of USI is considered in relation to the projected settlement costs if the source is incarcerated.

Incarceration

Detention and imprisonment of an individual suspected of espionage on behalf of the U.S. Government.

Polygraph examination

The process whereby a former source undergoes questioning to determine if he or she is practicing deception in relating facts concerning his or her arrest and incarceration using a polygraph machine.

Primary Contact Person (PCP)

The family member or other individual chosen by USI to be the intermediary between USI and the source's family for the SMS process.

Reintegration

The process of assisting the source to become self-supporting at an economic level generally comparable to the level that the source enjoyed prior to incarceration.

RODCA channels

A restricted communication channel that is used for transmitting data relating to clandestine operations conducted by DOD intelligence elements.

Settlement

The process by which USI provides financial assistance to former sources and their families when the source has been incarcerated for espionage on behalf of USI. It can include financial support to the family while the source is incarcerated as well as one-time, lump sum payments.

SMS procedures

The procedures followed by USI that provide for

a. The care and well being of families of sources arrested for espionage on behalf of USI.

b. Reintegration of the source after release.

c. Final financial settlement with the source.

Source

A person from whom intelligence information is obtained. In clandestine activities, a person (agent), normally a foreign national, in the employ of an intelligence activity for intelligence purposes. The source knows that the information he or she furnishes is to be used for intelligence purposes.

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